

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SHIRDENIA BRYANT, et al.	:	Civil Action No. C-1-02-006
Plaintiffs	:	(Judge Spiegel)
vs.	:	
PRESCOTT BIGELOW, IV, et al.	:	<u>DEFENDANTS MOTION IN</u>
Defendants	:	<u>LIMINE RE: RICHARDSON</u>
		<u>DEPOSITION TESTIMONY</u>

* * * * *

Come now the Defendants, by and through counsel, and move the Court for an Order in Limine relative to certain testimony during the cross-examination of Defendants' witness, Larry Richardson.

The testimony objected to is contained within the cross-examination of witness Richardson and relates to the recent assignment by Nationwide Mutual Insurance Company .of all rights and/or causes of action Nationwide may have against Plaintiff Harry Curtis to Defendant Bigelow.

Witness Richardson is an employee of the Nationwide Mutual Insurance Company and was the adjuster/investigator following a fire set at the premises by Plaintiff Curtis on February 9, 2000. Mr. Richardson was not involved in the assignment of Nationwide's claims against Plaintiff Curtis, but rather only in the adjustment of the claim following the fire.

Defendants respectfully submit that the information sought by Plaintiff regarding the Assignment is not relevant to any of Plaintiff Curtis' claims against Defendants and is not probative in that it does not make more or less probable any fact in issue relating the Plaintiff's

RICO and fraud claims against these Defendants arising from the Curtis property transaction in August, 1999. Additionally, questioning during the cross-examination related to certain settlement discussions and as such is neither relevant nor admissible.

Respectfully Submitted,

Gary R. Lewis Co., L.P.A.

/s/ Gary R. Lewis
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Defendant Roseanne Christian
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CERTIFICATE OF SERVICE

I hereby certify that on February 9th, 2004, I electronically filed the foregoing Defendants Motion In Limine Re: Richardson Deposition Testimony using the CM/ECF system and I hereby certify that the foregoing was also served upon William H. Blessing, Esq. Attorney for Plaintiffs, 119 East Court Street, Suite 500, Cincinnati, Ohio 45202 by regular U.S. Mail, postage pre-paid this 9th day of February, 2004.

/s/ Gary R. Lewis
Gary R. Lewis
Attorney for Defendant Prescott Bigelow and
Defendant Roseanne Christian